

MINNESOTT BEACH

TOWN OF MINNESOTT BEACH

1981

LAND USE PLAN

EXECUTIVE SUMMARY

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COASTAL ZONE
INFORMATION CENTER

1.2 Executive Summary

The Town is in the process of making the transformation from a subdivision development and waterfront camp area to a comprehensive community - municipality. Such a transition is difficult, since municipality status has required the imposition of a Town government and the rules and regulations associated with it. Many landowners and residents who have previously used their land and lived in a relatively unrestricted setting now find it necessary to cope with new restrictions. Of course, such restrictions such as noise ordinances, zoning and subdivision regulations are intended to make the entire community a better place to live and work. Other benefits from pooled resources such as taxes enable the community to have better streets, a public water system, trash removal and other services.

The purpose of the Plan is to establish a set of policies which represent the present and future desires of the Town in terms of land use, growth, services and the environment. The Town wishes to grow at a moderate rate as a primarily residential community, with only those services and development characteristics to serve the needs of a residential community. The Town will protect its environment, and, realizing the necessity of dependence upon on-lot sewage disposal for some time to come, will regulate development location and density to prevent significant damage to surface and groundwater.

The Town will continue to provide services on an as needed/budget controlled basis. The Town will soon enact a zoning ordinance and subdivision regulations which will regulate densities and provide development standards.

PART IV

POLICY FORMULATION

This section provides the rationale for and statement of Town policies. Where feasible, implementation plans are included. Policies are grouped according to land use categories of

- Resource Protection
- Resource Production and Management
- Economic and Community Development
- Continuing Public Participation

8.1 RESOURCE PROTECTION

A. AREAS OF ENVIRONMENTAL CONCERN

The term Area of Environmental Concern, or AEC, is used in North Carolina's Coastal Area Management Act (CAMA) to identify important natural resources, both on land and water, which could be damaged if subjected to incompatible development activity.

The Coastal Resources Commission (CRC) has identified thirteen different types of AECs -- in four general categories -- spelling out the significance and the basic management objectives for each, and has encouraged local governments to recommend those types of development, or use, which they consider appropriate in the AECs within their jurisdiction.

The AECs in Minnesott Beach fall into two general categories - those involving the Estuarine System and the Public Trust Waters.

The Estuarine System

1. Estuarine Waters

All of the AECs falling under the general classification of the estuarine system are to be found on or connected with the Neuse River. For Minnesott

Beach, the Neuse River makes up its entire southern border. Another area of estuarine significance is a small creek which enters the Neuse known as Alligator Gut. (See Part II, 5-2).

The Town recognizes the importance of the estuarine waters as the dominant component and bonding element of the entire estuarine system. The waters support the valuable commercial and sports fisheries of the coastal area which are comprised of estuarine dependent species. The Town recognizes its responsibility as a developed area along the Neuse River to prevent unnecessary further degradation of these estuarine waters.

The Town has been developed primarily as a recreation oriented subdivision community. No intensive development has been planned for nor desired by the majority of residents and landowners. The historical development of the Town has been primarily single-family homes on relatively large lots ($\frac{1}{2}$ acre on the average). Although concern about the quality of the Neuse is an important issue in the Town, it is generally believed that the style and low density development in the Town has not led to any furtherance of water quality degradation in the Neuse. Although it is recognized that many of the soils in the community are not favorable for on-lot sewage disposal, the soils are some of the highest in the County. Low densities appear to have averted significant problems arising from use of on-lot sewage disposal systems. Some policy alternatives considered have included, a) having no policy on estuarine waters; b) a simple statement of support of the CAMA program; c) requiring larger lot sizes throughout the community on un-subdivided land; d) requiring additional management controls for on-lot sewage disposal systems; e) looking at the feasibility of a public sewer system.

POLICY 1: THE TOWN RECOGNIZES THE IMPORTANCE OF HELPING TO PREVENT FURTHER SIGNIFICANT DETERIORATION OF THE WATER QUALITY OF THE NEUSE RIVER.

Implementation: The Town supports the CAMA permitting procedure which specifies compliance with use standards under 15 NCAC 7H, Section .0208. The Town is in the process of completing a zoning ordinance and subdivision regulations. The Town will draw the zoning boundaries in such a way as to allow for the denser uses to be provided for in areas where the soil properties are more suitable. Subdivision regulations will include standards to help prevent erosion and strict provisions for the placement and construction of on-lot sewage disposal facilities in areas near estuarine waters.

2. Estuarine Shoreline

Estuarine shoreline, although characterized by dry land, is considered a component of the estuarine system because of association with estuarine waters. In the Town, the estuarine shoreline is the shoreline of the Neuse River, as well as along Alligator Gut for a distance of about 500 ft. from the Neuse. Development within the estuarine shoreline influences the quality of estuarine life and is subject to the damaging processes of shorefront erosion and flooding.

The existing shoreline along the Neuse presently has a very narrow sand beach. The shoreline has eroded a total of 74.8 feet over the past thirty years. The use of more jetties along the Neuse has reduced erosion in some areas and has trapped sand which, with vegetation, has allowed accretion. Some individuals believe the continued man-made alterations will simply change the pattern of erosion, allowing some areas to slow erosion or accrete, while others suffer worse erosion rates. Alternatives

have been considered such as using Town funds to build bulkheads, establish rip-rap, or use other means to stop erosion. Some suggest no man-assisted attempts should be made. Land use for dwelling units does not appear to have caused significant erosion in Minnesott Beach.

POLICY 2. THE TOWN DESIRES TO ENSURE THAT SHORELINE DEVELOPMENT

DOES NOT SIGNIFICANTLY HARM THE ESTUARINE SYSTEM. FURTHER-
MORE, ALTERATIONS TO THE SHORELINE IN TERMS OF EROSION-CON-
TROL STRUCTURES WILL NOT BE PERMITTED BY THE TOWN ON THE
NEUSE RIVER, BUT WILL BE LEFT TO INDIVIDUAL LANDOWNERS IN
OTHER AREAS.

Implementation: The Town supports the CAMA permitting procedure which specifies compliance with use standards under 15 NCAC 7H, Section .0209. The Town will incorporate in its zoning ordinance and subdivision regulations specific requirements for land uses which could cause shoreline erosion and include in the zoning ordinance regulations which would disallow the use of erosion control structures.

3. Coastal Wetlands

The unique productivity of the estuarine system is supported by decayed plant material and nutrients that are exported from the coastal marshlands. The value of marshlands in the animal food chain, as nesting areas, as nutrient and sediment traps, and as barriers against flood hazards has been well documented.

In Minnesott Beach, few areas of significant coastal marsh exist. What does exist is found for a distance of about 500 feet in the Alligator Gut (see Map E). These small marsh areas have limited productivity. The recent construction of a marina in the Alligator Gut further reduces the ecological significance of these marshes. Few alternatives are open

in terms of use or protection of coastal marsh areas for the Town. Present state and federal regulations would prohibit any intensive use of the areas. Types of uses the Town would support are discussed later in the section "Suitable Land Uses in the AECs."

POLICY 3: THE TOWN RECOGNIZES THE ENVIRONMENTAL VALUE OF COASTAL MARSHES AND DESIRES TO PROTECT THEM FROM SIGNIFICANT DAMAGE.

Implementation: The Town supports the CAMA permitting procedure which specifies compliance with use standards under 15 NCAC 7H, Section .0208. The Town considers these areas as conservation use lands and will designate them as such in the zoning ordinance. Specific standards in conformance with state and federal law will be incorporated in the zoning and subdivision regulations.

4. Public Trust Areas

The Public Trust Areas are all of the estuarine waters mentioned previously, as well as the waters of the Alligator Gut above the estuarine area. In these waters, the public has rights of navigation and recreation. Generally, it is federal and state policy to protect these areas from uses which would interfere with the public right of navigation in these waters, as well as uses which would significantly harm the biological and physical functions of these waters. Wetlands are often found in these areas which do not qualify as coastal marsh, yet have significant value as freshwater wetlands serving similar biological and physical functions.

In Minnesott Beach, the Public Trust Area waters of the Alligator Gut above the estuarine limit contain a marina development. The public's

right to navigation of this area has not been interfered with, and the U.S. Army Corps of Engineers has been careful to allow only appropriate development while protecting areas of freshwater wetland.

POLICY 4: THE TOWN WILL NOT RESTRICT THE PUBLIC'S

RIGHT TO NAVIGATION IN PUBLIC TRUST AREAS AND

WISHES TO PERPETUATE THEIR BIOLOGICAL VALUE.

Implementation: The Town supports the CAMA permitting procedure which specifies compliance with use standards under 15 NCAC 7H, Section .0208. The Town will include in its zoning ordinance and subdivision regulations specific standards regarding land uses adjacent to public trust areas.

B. Suitable Land Uses in the AECs

Generally, suitable land uses will be those uses which are consistent with the CAMA permitting procedure with highest priority being uses which foster conservation of the resources and second priority to uses which are water dependent. In the coastal wetlands and estuarine waters, the state would not permit nor the Town support development such as restaurants and businesses; residences; apartments; motels; hotels; trailer parks; parking lots and private roads and highways; and factories. The state may permit and the Town may support such uses as utility easements, fishing piers, docks, and agricultural uses such as farming and forestry drainage, as permitted under North Carolina's Dredge and Fill Act and/or other applicable laws. Any use permitted would have to comply with the state regulations and conditions imposed in the Town's zoning and subdivision regulations.

On the estuarine shoreline, the uses permitted are those which are permitted under the zoning ordinance for the zoning district. However,

the Town may permit bulkheading to prevent erosion, except on the Neuse River, and the building of piers, wharfs or marinas. CAMA use standards for these areas must be followed along with any specific regulations in the Town's zoning ordinance or subdivision regulations.

C. OTHER RESOURCES

The Town has not identified any unique or especially valuable natural areas within its borders. The Town is, however, concerned about the destruction of vegetated areas and habitats of various species indigenous to the area. One alternative considered to deal with vegetation and open space was a vegetation and open space ordinance. Another possibility was to establish a voluntary set of rules regarding vegetation protection. Some believe that this issue is not nor should be a consideration of Town government.

POLICY 5: IT IS THE POLICY OF THE TOWN TO ENCOURAGE THE RETENTION OF VEGETATION, PRESERVE OPEN SPACE, AND TO ALLOW THE NATURAL TERRAIN TO BE DISTURBED AS LITTLE AS POSSIBLE.

Implementation: The Town will include in its zoning ordinance and subdivision regulations standards regarding open space and vegetation when development occurs. A program of informing and educating citizens with regard to such resources will be developed.

D. HISTORIC AND ARCHAEOLOGIC SITES

No specific archaeological sites or historic sites are located in the Town. It is the policy of the Town, however, to encourage the identification and protection of historic and archaeological sites should any be found

E. WATER

Three issues are involved in the assessment of water quality in the Town. The first issue is the availability and quality of water for the Town's water system. The second issue is the effect of individual septic systems on groundwater and surface water. The third issue is the potential for flooding.

1. Surface and Groundwater

The Town has recently completed a water system and all areas of the Town are served. The system has two wells available and the facilities are located within the Town at NC 306. The system is using water from the Castle Hayne aquifer, the aquifer of the Oligocene limestone of the Tertiary Period, Cenozoic Era.

With the present and projected densities in the Town, it is anticipated that contamination of the community water system from septic tanks is unlikely. Although an alternative for attempting protection of ground and surface water from future development would be larger lot sizes, the Town does not believe this to be necessary with existing relatively large lot sizes (average $\frac{1}{2}$ acre) and the consideration of soil capabilities for allowable zoning densities. Another alternative would be a public sewer system. However, such a system would not be feasible for some time to come, nor would it be necessary with planned policies.

The Town is primarily a recreation oriented residential community. The Town would not permit development of landfills or disposal of hazardous wastes.

POLICY 6: THE TOWN WILL NOT PERMIT DEVELOPMENT OR LAND USES WHICH WILL DEGRADE THE QUALITY OF THE SURFACE WATERS, GROUND-WATER, OR SIGNIFICANTLY LOWER THE WATER QUANTITY IN THE AQUIFER.

Implementation: The Town will consider soil capabilities in the development of allowable zoning densities and the development of subdivisions. The Town will review all existing and proposed land uses to determine possible effects on surface and groundwater before giving necessary permits or approval.

2. Flooding

The Town is currently participating in the National Flood Insurance Program. Presently, there are 3 structures in a flood hazard zone since the Town is on very high ground in relation to the river. Average height of the river bank is 14.3 feet. At this time, the County enforces permits on flood hazard areas. When the Town appoints a zoning administrator, the Town will enforce its own flood hazard regulations.

3. Hurricane Evacuation

Although the Town, due to its location, may not experience problems due to hurricanes as severe as communities on the Ocean, hurricane evacuation is a concern. The Town has participated in emergency preparedness plans of the County and feels that current plans are sufficient to allow Town residents to be provided with adequate evacuation routing should the need arise.

8.2 RESOURCE PRODUCTION AND MANAGEMENT

A. LAND UTILIZATION

The Town's resources are embodied in its residential character as evidenced by its past growth and future desires of its property owners. The Town has no productive agricultural or forest areas, no known exploitable minerals or industrial potential. The Town has no commercial fisheries, although some residents continue to work at this trade. Aside from the community commitments to care for and manage its natural surroundings and man-made improvements, the Town's limited area precludes consideration of non-residential uses other than limited commercial and recreation. Recreational uses are those such as boating, golf, swimming, fishing, tennis, etc.

POLICY 7: THE TOWN IS PRIMARILY A RESIDENTIAL COMMUNITY AND THEREFORE DOES NOT DESIRE TO PROMOTE AGRICULTURE, FORESTRY, MINING, FISHERIES, INDUSTRY, ENERGY FACILITIES, OR TOURIST RELATED RECREATION.

8.3 ECONOMIC AND COMMUNITY DEVELOPMENT

A. ZONING

The Town has been working toward the development of a zoning ordinance and subdivision regulations in order to better control growth and development. Presently, a draft has been completed on these regulations. Because the Town is in the process of land use planning, the Town does not intend to adopt a zoning ordinance or subdivision regulations until growth and development policies have been adopted. At the same time, this process has the advantage of using the management tools to greatest advantage in the land use planning process.

One of the more important zoning issues is the minimum lot sizes and locations of zoning boundaries. Although a great deal of the community has already been subdivided, recent annexations have provided considerable acres of land which, although not anticipated to be developed soon, may represent the future development area of the Town.

Because the Town is concerned with its environment and especially the water quality of the Neuse River, it has determined that any dense septic tank construction in many of the more unsuitable soils for septic tank use could prove to be detrimental to the water quality of the River. The Town does, however, have considerable areas of soils which are suitable for septic tank use. The Town therefore has considered designing the zoning map based upon the configuration of the soils and their capacity for development. Other alternatives considered were large generalized zoning areas based upon average historical development patterns, no zoning.

POLICY 8: THE TOWN WILL DEVELOP A ZONING ORDINANCE AND SUBDIVISION REGULATIONS BASED UPON THE CAPACITY OF THE AREA TO SUPPORT DEVELOPMENT AND WITH CONCERN FOR ENVIRONMENT.

Implementation: The Town is in the process of rewriting its initial draft on the zoning ordinance and subdivision regulations.

B. HOUSING MIX

The residential character of the Town is a major factor in attracting both resident and non-resident property owners. Although the residential character is mainly single-family, some multi-family town house type units exist. Also, a number of multi-family vacation use units are found on the Neuse. Another housing type found in the community is the mobile home.

Two large mobile home parks are located near the shoreline in the vicinity of the Neuse River ferry dock. Generally, the Town is in favor of single-family detached dwelling unit types. Well-built and managed town house multi-family units are also acceptable. Mobile homes have not proven to be tax advantageous to the community, and are considered by many to be aesthetically unpleasing.

POLICY 9: THE TOWN DESIRES TO MAINTAIN PRIMARILY SINGLE-FAMILY DETACHED RESIDENTIAL DEVELOPMENT AS WELL AS LIMITED AND WELL MAINTAINED MULTI-FAMILY TOWN HOUSE UNITS. THE TOWN DOES NOT DESIRE FURTHER MOBILE HOME USE.

Implementation: The Town will, through its new zoning ordinance and subdivision regulations regulate and limit densities and housing types within its zoning districts. The building code and subdivision regulations will insure proper building design and maintenance.

C. COMMERCIAL

Presently the community has limited commercial activity due to the small size of the Town and the seasonal nature of the population increase. A small motel and a restaurant, a small fishing pier and a boat launch facility; and a marina on the Alligator Gut are the extent of commercial activity.

Most residents of the Town would like to see some further commercial activity in the Town, especially essential services such as a gasoline station and a grocery store. The Town considered further restricting commercial activity.

POLICY 10: THE COMMERCIAL ZONE PROPOSED ON THE DRAFT ZONING MAP IS ACCEPTABLE AS CONSTITUTED AND WILL NOT BE INCREASED. USES PERMITTED IN THIS ZONE WILL BE ONLY THOSE WHICH ARE NECESSARY TO SUPPLY BASIC NEEDS OF THE TOWN RESIDENTS.

Implementation: The proposed zoning ordinance when adopted should implement this policy.

D. COMMUNITY SERVICES

The Town has recently completed a new Town Hall which serves to house Town administrative facilities. Fire protection is presently located 4 miles north in Arapahoe. Many feel that this distance is too far for adequate fire protection and fire insurance rates are high. Discussions are being held about placing a fire engine in Town, operated as a substation of the Arapahoe Fire District.

An issue of concern is police protection since the Town does not have its own police department. Police protection is only available through the County Sheriff's Department. Many residents have indicated a desire to have a Town policeman. As the Town grows, a Town policeman could become a necessity, especially during the summer months.

POLICY 11: THE TOWN WILL CONTINUE TO DEVELOP AND STUDY ALTERNATIVES TO THE CURRENT FIRE AND POLICE PROTECTION PROBLEM.

Implementation: The Town Board will cost out a one-man police department and determine funding alternatives to present to the community. The Town is studying the possibility of making an addition to the Town Hall to accommodate a fire engine.

E. WATER AND SEWER

The recently constructed water system in terms of water quantity and quality is sufficient to take care of the Town's needs through the planning

period (see p. 28).

The Town does not have or anticipate the need for a public sewer system during the planning period. Soil management practices and low density have prevented any significant problems with on-lot sewage disposal. A number of different zoning densities and boundaries have been analyzed in determining the proposed zoning map which is part of the new, proposed zoning ordinance.

POLICY 12: THE TOWN WILL DESIGN ITS ZONING MAP USING THE CAPABILITY OF THE SOILS TO ACCOMMODATE ON-LOT SEWAGE DISPOSAL TO LIMIT DENSITIES ON THOSE SOILS UNSUITABLE FOR ON-LOT SEWAGE DISPOSAL.

Implementation: In designing the final zoning map for adoption, the above policy will be implemented.

F. ROADS

Generally the road system and present maintenance procedures are adequate within the Town and are anticipated to continue to be so in the planning period. Two areas, however, continue to be of some concern. These are a) the western end of Country Club Drive where the road narrows, jogs, and an unofficial turnaround exists and b) the dead end at Country Club Drive West. Alternatives have been considered such as the straightening of the alignment of Country Club Drive and bringing the Country Club Drive West down to connect with Country Club Drive. Both alternatives have met with problems of both cost and the obtainment of a permit from DNRCD for fill in the case of Country Club Drive West.

POLICY 13: THE TOWN WILL CONTINUE TO STUDY THE ROAD PROBLEMS ASSOCIATED WITH COUNTRY CLUB DRIVE AND COUNTRY CLUB DRIVE WEST. THE TOWN



